



**PAVAN PARIKH
HAMILTON COUNTY CLERK OF COURTS**

COMMON PLEAS DIVISION

**ELECTRONICALLY FILED
August 21, 2023 04:03 PM
PAVAN PARIKH
Clerk of Courts
Hamilton County, Ohio
CONFIRMATION 1360132**

CHRISTINA L MARCUS

A 2303545

vs.

JOHN DOE 1

**FILING TYPE: INITIAL FILING (IN COUNTY) WITH JURY
DEMAND**

PAGES FILED: 9

**IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO**

CHRISTINA L. MARCUS, Special
Administrator of the Estate of ERIC P.
MARCUS
c/o Santen & Hughes
600 Vine St., Suite 2700
Cincinnati, Ohio 45202

Plaintiff,

v.

JOHN DOE CORRECTIONS OFFICER #1
Individually and in his/her official capacity
c/o Hamilton County Sheriff's Office
1000 Sycamore Street
Cincinnati, Ohio 45202

and

JOHN DOE CORRECTIONS OFFICER #2
Individually and in his/her official capacity
c/o Hamilton County Sheriff's Office
1000 Sycamore Street
Cincinnati, Ohio 45202

and

JOHN DOE CORRECTIONS OFFICER #3
Individually and in his/her official capacity
c/o Hamilton County Sheriff's Office
1000 Sycamore Street
Cincinnati, Ohio 45202

and

JOHN DOE CORRECTIONS OFFICER #4
Individually and in his/her official capacity
c/o Hamilton County Sheriff's Office
1000 Sycamore Street
Cincinnati, Ohio 45202

and

Case No.:

Judge:

**COMPLAINT
(Jury Demand Endorsed Hereon)**

JOHN DOE CORRECTIONS OFFICER #5 :
Individually and in his/her official capacity :
c/o Hamilton County Sheriff's Office :
1000 Sycamore Street :
Cincinnati, Ohio 45202 :

and :

HAMILTON COUNTY SHERIFF'S :
OFFICE :
By and through Sheriff Charmaine McGuffey :
in her official capacity :
1000 Sycamore Street :
Cincinnati, Ohio 45202 :

and :

THE HAMILTON COUNTY BOARD OF :
COMMISSIONERS by and through ALICIA :
REECE, DENISE DRIEHAUS, and :
STEPHANIE SUMMEROW DUMAS in :
their official capacities as Hamilton County :
Commissioners :
138 E. Court Street #603 :
Cincinnati, Ohio 45202 :

Defendants.

I. JURISDICTION

1. This Court has Jurisdiction over the Defendants because, among other things, all Defendants do, and all times relevant did, conduct business in the State of Ohio, purposefully avail themselves of the laws of the state of Ohio, and / or commit tortious acts within the state of Ohio.

2. Venue is proper in Hamilton County under Ohio Civil Rule 3(C)(3) because the events giving rise to this cause of action occurred in this county.

II. PARTIES

1. Plaintiff Christina L. Marcus was appointed Special Administrator of the estate of

Eric P. Marcus on July 28, 2023 by the Probate Division of the Hamilton County Court of Common Pleas under case no. 2023003334.

2. Defendants John Doe Corrections Officers Nos. 1-5 (hereafter, “Officers”) were during all relevant times corrections officers with the Hamilton County Sheriff’s Office acting under color of law. They are being sued individually and in their official capacities as employees of the Hamilton County Sheriff’s Office and the Hamilton County Board of Commissioners.

3. Defendant Hamilton County Sheriff’s Office, by and through Sheriff Charmaine McGuffey is a government body, organized under the laws of Hamilton County, Ohio. Defendant Hamilton County Sheriff’s Office operates the Hamilton County Justice Center.

4. Defendant Hamilton County Board of Commissioners, by and through its Commissioners Alicia Reece, Denise Driehaus, and Stephanie Summerow Dumas is an Ohio political subdivision. Hamilton County Sheriff’s Office and Hamilton County Justice Center are agencies of Defendant Hamilton County Board of Commissioners. Defendant Hamilton County Board of Commissioners is a “person” under 42 U.S.C. § 1983. Defendant Hamilton County is responsible for the policies, customs, and practices which gave rise to Plaintiff’s claims.

III. FACTS

5. Eric Marcus (hereafter, “Marcus”) was arrested on August 19, 2021 at 8:42 PM by Cincinnati Police Department Officers Orion Covrett and Timothy Wahoff on charges of obstructing official business, possession of drugs, and possessing drug abuse instruments.

6. His arrest report noted that “Defendant was in possession of a syringe loaded with fentanyl found on his person during a search incident to arrest. The officer who searched the defendant was punctured in the finger by the needle. Both the officer and defendant were taken to

UCMC for treatment.”

7. Any drugs in Marcus’s possession would have been removed from his person as evidence during his arrest.

8. Marcus was transported to the Hamilton County Justice Center following his arrest where he was incarcerated.

9. Marcus remained incarcerated at the Hamilton County Justice Center for the next two days.

10. On August 22, 2021, Marcus was found dead.

11. Marcus’s death record from the Hamilton County Coroner’s Office states that he was found dead at “South Bldg 2nd Floor Pod C, Hamilton County Justice Center.

12. Marcus was pronounced dead at 5:53 PM.

13. Marcus was thirty-four years old at the time of his death. He left behind a wife and three minor children.

14. The Hamilton County Coroner’s Office conducted an autopsy. The Hamilton County Coroner’s Death Record identified Marcus’s cause of death was “acute fentanyl poisoning.” His manner of death was ruled an “accident.”

15. Importantly, the Death Record states that the “Approximate Interval Between Onset and Death” was “minutes.”

16. Marcus died due to toxic exposure to fentanyl at the Hamilton County Justice Center.

17. Deaths due to drug overdose are occurring unchecked at Hamilton County Justice Center:

a. James Barton died of a drug overdose while incarcerated at the Justice Center on

April 13, 2013. (<https://www.fox19.com/story/22708022/findings-released-on-fatal-overdose-of-hamilton-co-inmate/>)

b. Daniel Davis died of a drug overdose while incarcerated at the Justice Center on September 24, 2014. (<https://www.wlwt.com/article/coroner-daniel-davis-overdosed-on-heroin-in-hamilton-co-jail/3549606#>)

c. Satwinder Singh died of a drug overdose while incarcerated at the Justice Center on March 26, 2019. (<https://www.cincinnati.com/story/news/crime/crime-and-courts/2019/11/04/hamilton-county-jail-overdose-death-ex-inmate-charged/4156558002/>)

18. Instances of deaths due to drug-overdose are not surprising given the Justice Center's significant overcrowding.

19. In 2019, Major Chris Kettermann, who oversees the Hamilton County Justice Center, was quoted as saying that the Justice Center was built to house 875 inmates. However, by 2019, it was housing approximately 1,600 inmates per day. (<https://www.cincinnati.com/story/news/2018/08/16/hamilton-county-jail-gets-renovation-adds-92-beds-addicted-inmates/958390002/>)

IV. FIRST CAUSE OF ACTION - 42 U.S.C. § 1983 ***(State Created Danger)***

20. Plaintiff incorporates and re-alleges each and every prior and succeeding allegation of this Complaint as if rewritten here fully.

21. Officers under color of state law, deprived Marcus of rights, privileges and immunities secured by the Fourth, Eighth, and Fourteenth Amendments to the U.S. Constitution, including but not limited to the right to be free from state created dangers, heedless disregard, cruel conditions of confinement, and violations of substantive due process.

22. The actions of Officers placed Marcus in a dangerous environment from which he was exposed to fentanyl in a lethal dose. This danger was unique to the circumstances of Marcus's incarceration.

23. Marcus's death was proximately caused by the deliberately indifferent, willful, and wanton actions of Officers through their failure to prevent Marcus from being exposed to fentanyl while incarcerated.

24. Defendants Hamilton County Sheriff's Office and Hamilton County Board of Commissioners are vicariously liable for the actions of their Officers to the extent that the same were carried out in the course of their duties.

V. SECOND CAUSE OF ACTION - 42 U.S.C. § 1983
(Denial of Medical Care)

25. Plaintiff incorporates and re-alleges each and every prior and succeeding allegation of this Complaint as if rewritten here fully.

26. Defendants have at their disposal medications which can rapidly reverse the effects of an opioid overdose.

27. Defendants failed to utilize such medications in a timely fashion.

28. As a result of Defendants' failure to respond to Marcus's immediate medical need, Marcus overdosed and died.

VI. THIRD CAUSE OF ACTION - 42 U.S.C. § 1983
(Monell Claim)

29. Plaintiff incorporates and re-alleges each and every prior and succeeding allegation of this Complaint as if rewritten here fully.

30. During all times relevant to this action, the Hamilton County Board of Commissioners and Hamilton County Sheriff's Office enacted and pursued policies and

procedures which related to the training, supervision, and retention of Defendant Officers. These policies and procedures were enacted and pursued with full knowledge that the Constitutional violations plead herein were a foreseeable result. The Hamilton County Board of Commissioners and Hamilton County Sheriff's Office further ratified the actions and omissions of Defendant Officers. Defendants Hamilton County Board of Commissioners and Hamilton County Sheriff's Office acted with deliberate indifference, with wanton and willful disregard, recklessly, and intentionally.

31. Notably, Defendants Hamilton County Board of Commissioners and Hamilton County Sheriff's Office enacted policies, among others, that permitted the Hamilton County Justice Center to become grossly overcrowded, resulting in the denial of necessary services, including supervision and medical care, to Marcus and other inmates.

32. The policies and procedures of the Hamilton County Board of Commissioners and Hamilton County Sheriff's Office were the proximate cause of the deprivation of Marcus's Constitutional rights.

33. Defendants Hamilton County Sheriff's Office and Hamilton County Board of Commissioners are vicariously liable for the actions of their Officers to the extent that the same were carried out in the course of their duties.

VII. FOURTH CAUSE OF ACTION – STATE LAW WRONGFUL DEATH

34. Plaintiff incorporates and re-alleges each and every prior and succeeding allegation of this Complaint as if rewritten here fully.

35. The incident causing the death of Marcus was proximately caused by the willful and wanton actions of Defendants, resulting in damages recoverable under R.C. § 2125.02.

36. Marcus is survived by his wife, minor children, and other next of kin, who are beneficiaries of this action.

37. Marcus's beneficiaries have suffered the following damages as a result of his death: loss of support from the reasonably expected earning capacity of the decedent, loss of services, loss of society, including loss of companionship, consortium, care, assistance, attention, protection, advice, guidance, counsel, instruction, training, and education, loss of prospective inheritance to the decedent's heirs at law at the time of his death, mental anguish, and funeral and burial expenses.

38. Defendants Hamilton County Sheriff's Office and Hamilton County Board of Commissioners are vicariously liable for the actions of their Officers to the extent that the same were carried out in the course of their duties.

VIII. PRAYER FOR RELIEF

Wherefore, Plaintiff Christina L. Marcus, Executor of the Estate of Eric P. Marcus, prays that the Court grant the following relief:

1. Compensatory damages in excess of \$25,000.00 arising from Defendants' actions and the denial of Plaintiff's rights, including without limitation pain, suffering, and other losses;
2. Punitive damages as may be authorized by law;
3. For an award of his reasonable attorney's fees and costs pursuant to 42 U.S.C. § 1988 and other law;
4. For an award of the taxable costs of court; and
5. For such other and further relief as the Court may deem just and proper.

Respectfully submitted,

/s/ J. Robert Linneman

J. Robert Linneman (0073846)

H. Louis Sirkin (0024573)

SANTEN & HUGHES

600 Vine Street, Suite 2700

Cincinnati, OH 45202

(513) 721-4450

jrl@santen-hughes.com

hls@santen-hughes.com

Attorney for Plaintiff

*Christina L Marcus, Executor of the Estate
Of Eric P. Marcus*

JURY DEMAND

Plaintiff hereby demands a trial by jury of all issues triable by a jury.

/s/ J. Robert Linneman

J. Robert Linneman

694660.1



**PAVAN PARIKH
HAMILTON COUNTY CLERK OF COURTS**

COMMON PLEAS DIVISION

**ELECTRONICALLY FILED
August 21, 2023 04:03 PM**

**PAVAN PARIKH
Clerk of Courts
Hamilton County, Ohio
CONFIRMATION 1360132**

CHRISTINA L MARCUS

A 2303545

**vs.
JOHN DOE 1**

**FILING TYPE: CLASSIFICATION
PAGES FILED: 1**

EFR200



COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

CLASSIFICATION FORM
WWW.COURTCLERK.ORG

Pavan Parikh
CLERK OF COURTS

CASE NUMBER: _____ PLAINTIFF: **CHRISTINA L. MARCUS**

PURSUANT TO SUPERINTENDENCE RULE 4, THIS CASE WAS ORIGINALLY FILED AND DISMISSED

UNDER CASE NUMBER: _____ BY JUDGE _____

PLEASE INDICATE CLASSIFICATION INTO WHICH THIS CASE FALLS (please only check one):

- | | |
|--|---|
| <input type="checkbox"/> Other Tort – C360 | <input type="checkbox"/> Other Civil – H700-34 |
| <input type="checkbox"/> Personal Injury – C310 | <input type="checkbox"/> Appropriation – H710 |
| <input checked="" type="checkbox"/> Wrongful Death – C320 | <input type="checkbox"/> Accounting – H720 |
| <input type="checkbox"/> Vehicle Accident – C370 | <input type="checkbox"/> Beyond Jurisdiction – 730 |
| <input type="checkbox"/> Professional Tort – A300 | <input type="checkbox"/> Breach of Contract – 740 |
| <input type="checkbox"/> Personal Injury – A310 | <input type="checkbox"/> Cancel Land Contract – 750 |
| <input type="checkbox"/> Wrongful Death – A320 | <input type="checkbox"/> Change of Venue – H760 |
| <input type="checkbox"/> Legal Malpractice – A330 | <input type="checkbox"/> Class Action – H770 |
| <input type="checkbox"/> Medical Malpractice – A340 | <input type="checkbox"/> Convey Declared Void – H780 |
| <input type="checkbox"/> Product Liability – B350 | <input type="checkbox"/> Declaratory Judgment – H790 |
| <input type="checkbox"/> Personal Injury – B310 | <input type="checkbox"/> Discharge Mechanics Lien – H800 |
| <input type="checkbox"/> Wrongful Death – B320 | <input type="checkbox"/> Dissolve Partnership – H810 |
| <input type="checkbox"/> Worker's Compensation | <input type="checkbox"/> CONSUMER SALES ACT (1345 ORC) – H820 |
| <input type="checkbox"/> Non-Compliant Employer – D410 | <input type="checkbox"/> Check here if relief includes declaratory judgment, injunction or class action recovery – H825 |
| <input type="checkbox"/> Appeal – D420 | <input type="checkbox"/> Habeas Corpus – H830 |
| <input type="checkbox"/> Administrative Appeals – F600 | <input type="checkbox"/> Injunction – H840 |
| <input type="checkbox"/> Appeal Civil Service – F610 | <input type="checkbox"/> Mandamus – H850 |
| <input type="checkbox"/> Appeal Motor Vehicle – F620 | <input type="checkbox"/> On Account – H860 |
| <input type="checkbox"/> Appeal Unemployment – F630 | <input type="checkbox"/> Partition – H870 |
| <input type="checkbox"/> Appeal Liquor – F640 | <input type="checkbox"/> Quiet Title – H880 |
| <input type="checkbox"/> Appeal Taxes – F650 | <input type="checkbox"/> Replevin – H890 |
| <input type="checkbox"/> Appeal Zoning – F660 | <input type="checkbox"/> Sale of Real Estate – H900 |
| <input type="checkbox"/> Certificate of Qualification – H600 | <input type="checkbox"/> Specific Performance – 910 |
| | <input type="checkbox"/> Restraining Order – H920 |
| | <input type="checkbox"/> Testimony – H930-21 |
| | <input type="checkbox"/> Environmental – H940 |
| | <input type="checkbox"/> Cognovit – H950 |
| | <input type="checkbox"/> Menacing by Stalking – H960 |
| | <input type="checkbox"/> Repo Title – Transfer of Title Only – 970 |
| | <input type="checkbox"/> Court Ordered Title – H980 |
| | <input type="checkbox"/> Injunction Sexual Predator – 990 |
| | <input type="checkbox"/> SB 10 – Termination – H690 |
| | <input type="checkbox"/> SB 10 – Reclassification – H697 |

DATE: **8/21/2023**

ATTORNEY (PRINT): **J. Robert Linneman**

OHIO SUPREME COURT NUMBER: **0073846**

Revised 05/03/2021

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

CHRISTINA L MARCUS
PLAINTIFF

-- VS --

JOHN DOE 1
DEFENDANT

Use below number on
all future pleadings

No. A 2303545
SUMMONS

HAMILTON COUNTY BOARD OF COMMISSIONERS
A REECE D DREIHAUS AND S DUMAS
138 E COURT STREET 603
CINCINNATI OH 45202

D - 7

You are notified
that you have been named Defendant(s) in a complaint filed by

CHRISTINA L MARCUS
CO SANTEN & HUGHES JRL
600 VINE STREET SUITE 2700
CINCINNATI OH 45202

Plaintiff(s)

in the Hamilton County, COMMON PLEAS CIVIL Division,
PAVAN PARIKH, 1000 MAIN STREET ROOM 315,
CINCINNATI, OH 45202.

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff, if he/she has no attorney of record, a copy of an answer to the complaint within twenty-eight (28) days after service of this summons on you, exclusive of the day of service. Your answer must be filed with the Court within three (3) days after the service of a copy of the answer on the plaintiff's attorney.

Further, pursuant to Local Rule 10 of Hamilton County, you are also required to file a Notification Form to receive notice of all future hearings.

If you fail to appear and defend, judgement by default will be rendered against you for the relief demanded in the attached complaint.

Name and Address of attorney
J ROBERT LINNEMAN
600 VINE ST STE 2700
CINCINNATI OH 45202

PAVAN PARIKH
Clerk, Court of Common Pleas
Hamilton County, Ohio

By RICK HOFMANN

Deputy

Date: August 23, 2023



D139071594

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

CHRISTINA L MARCUS
PLAINTIFF

-- VS --

JOHN DOE 1
DEFENDANT

Use below number on
all future pleadings

No. A 2303545
SUMMONS

HAMILTON COUNTY SHERIFFS OFFICE
%SHERIFF CHARMAINE MCGUFFEY
1000 SYCAMORE STREET
CINCINNATI OH 45202

D - 6

You are notified
that you have been named Defendant(s) in a complaint filed by

CHRISTINA L MARCUS
CO SANTEN & HUGHES JRL
600 VINE STREET SUITE 2700
CINCINNATI OH 45202

Plaintiff(s)

in the Hamilton County, COMMON PLEAS CIVIL Division,
PAVAN PARIKH, 1000 MAIN STREET ROOM 315,
CINCINNATI, OH 45202.

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff, if he/she has no attorney of record, a copy of an answer to the complaint within twenty-eight (28) days after service of this summons on you, exclusive of the day of service. Your answer must be filed with the Court within three (3) days after the service of a copy of the answer on the plaintiff's attorney.

Further, pursuant to Local Rule 10 of Hamilton County, you are also required to file a Notification Form to receive notice of all future hearings.

If you fail to appear and defend, judgement by default will be rendered against you for the relief demanded in the attached complaint.

Name and Address of attorney
J ROBERT LINNEMAN
600 VINE ST STE 2700
CINCINNATI OH 45202

PAVAN PARIKH
Clerk, Court of Common Pleas
Hamilton County, Ohio

By RICK HOFMANN

Deputy

Date: August 23, 2023



D139071597

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

CHRISTINA L MARCUS
PLAINTIFF

-- vs --

JOHN DOE 1
DEFENDANT

Use below number on
all future pleadings

No. A 2303545
SUMMONS

JOHN DOE 5
CO HAMILTON CTY SHERIFFS OFFICE D - 5
1000 SYCAMORE STREET
CINCINNATI OH 45202

You are notified
that you have been named Defendant(s) in a complaint filed by

CHRISTINA L MARCUS
CO SANTEN & HUGHES JRL
600 VINE STREET SUITE 2700
CINCINNATI OH 45202

Plaintiff(s)

in the Hamilton County, COMMON PLEAS CIVIL Division,
PAVAN PARIKH, 1000 MAIN STREET ROOM 315,
CINCINNATI, OH 45202.

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff, if he/she has no attorney of record, a copy of an answer to the complaint within twenty-eight (28) days after service of this summons on you, exclusive of the day of service. Your answer must be filed with the Court within three (3) days after the service of a copy of the answer on the plaintiff's attorney.

Further, pursuant to Local Rule 10 of Hamilton County, you are also required to file a Notification Form to receive notice of all future hearings.

If you fail to appear and defend, judgement by default will be rendered against you for the relief demanded in the attached complaint.

Name and Address of attorney
J ROBERT LINNEMAN
600 VINE ST STE 2700
CINCINNATI OH 45202

PAVAN PARIKH
Clerk, Court of Common Pleas
Hamilton County, Ohio

By RICK HOFMANN

Deputy

Date: August 23, 2023



D139071602

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

CHRISTINA L MARCUS
PLAINTIFF

-- vs --

JOHN DOE 1
DEFENDANT

Use below number on
all future pleadings

No. A 2303545
SUMMONS

JOHN DOE 4
CO HAMILTON CTY SHERIFFS OFFICE
1000 SYCAMORE STREET
CINCINNATI OH 45202

D - 4

You are notified
that you have been named Defendant(s) in a complaint filed by

CHRISTINA L MARCUS
CO SANTEN & HUGHES JRL
600 VINE STREET SUITE 2700
CINCINNATI OH 45202

Plaintiff(s)

in the Hamilton County, COMMON PLEAS CIVIL Division,
PAVAN PARIKH, 1000 MAIN STREET ROOM 315,
CINCINNATI, OH 45202.

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff, if he/she has no attorney of record, a copy of an answer to the complaint within twenty-eight (28) days after service of this summons on you, exclusive of the day of service. Your answer must be filed with the Court within three (3) days after the service of a copy of the answer on the plaintiff's attorney.

Further, pursuant to Local Rule 10 of Hamilton County, you are also required to file a Notification Form to receive notice of all future hearings.

If you fail to appear and defend, judgement by default will be rendered against you for the relief demanded in the attached complaint.

Name and Address of attorney
J ROBERT LINNEMAN
600 VINE ST STE 2700
CINCINNATI OH 45202

PAVAN PARIKH
Clerk, Court of Common Pleas
Hamilton County, Ohio

By RICK HOFMANN

Deputy

Date: August 23, 2023



D139071607

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

CHRISTINA L MARCUS
PLAINTIFF

-- VS --

JOHN DOE 1
DEFENDANT

Use below number on
all future pleadings

No. A 2303545
SUMMONS

JOHN DOE 3
CO HAMILTON CTY SHERIFFS OFFICE
1000 SYCAMORE STREET
CINCINNATI OH 45202

D - 3

You are notified
that you have been named Defendant(s) in a complaint filed by

CHRISTINA L MARCUS
CO SANTEN & HUGHES JRL
600 VINE STREET SUITE 2700
CINCINNATI OH 45202

Plaintiff(s)

in the Hamilton County, COMMON PLEAS CIVIL Division,
PAVAN PARIKH, 1000 MAIN STREET ROOM 315,
CINCINNATI, OH 45202.

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff, if he/she has no attorney of record, a copy of an answer to the complaint within twenty-eight (28) days after service of this summons on you, exclusive of the day of service. Your answer must be filed with the Court within three (3) days after the service of a copy of the answer on the plaintiff's attorney.

Further, pursuant to Local Rule 10 of Hamilton County, you are also required to file a Notification Form to receive notice of all future hearings.

If you fail to appear and defend, judgement by default will be rendered against you for the relief demanded in the attached complaint.

Name and Address of attorney
J ROBERT LINNEMAN
600 VINE ST STE 2700
CINCINNATI OH 45202

PAVAN PARIKH
Clerk, Court of Common Pleas
Hamilton County, Ohio

By RICK HOFMANN

Deputy

Date: August 23, 2023



D139071612

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

CHRISTINA L MARCUS
PLAINTIFF

-- VS --

JOHN DOE 1
DEFENDANT

Use below number on
all future pleadings

No. A 2303545
SUMMONS

JOHN DOE 2
CO HAMILTON CTY SHERIFFS OFFICE
1000 SYCAMORE STREET
CINCINNATI OH 45202

D - 2

You are notified
that you have been named Defendant(s) in a complaint filed by

CHRISTINA L MARCUS
CO SANTEN & HUGHES JRL
600 VINE STREET SUITE 2700
CINCINNATI OH 45202

Plaintiff(s)

in the Hamilton County, COMMON PLEAS CIVIL Division,
PAVAN PARIKH, 1000 MAIN STREET ROOM 315,
CINCINNATI, OH 45202.

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff, if he/she has no attorney of record, a copy of an answer to the complaint within twenty-eight (28) days after service of this summons on you, exclusive of the day of service. Your answer must be filed with the Court within three (3) days after the service of a copy of the answer on the plaintiff's attorney.

Further, pursuant to Local Rule 10 of Hamilton County, you are also required to file a Notification Form to receive notice of all future hearings.

If you fail to appear and defend, judgement by default will be rendered against you for the relief demanded in the attached complaint.

Name and Address of attorney
J ROBERT LINNEMAN
600 VINE ST STE 2700
CINCINNATI OH 45202

PAVAN PARIKH
Clerk, Court of Common Pleas
Hamilton County, Ohio

By RICK HOFMANN

Deputy

Date: August 23, 2023



D139071614

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

CHRISTINA L MARCUS
PLAINTIFF

-- vs --

JOHN DOE 1
DEFENDANT

Use below number on
all future pleadings

No. A 2303545
SUMMONS

JOHN DOE 1
CO HAMILTON CTY SHERIFFS OFFICE
1000 SYCAMORE STREET
CINCINNATI OH 45202

D - 1

You are notified
that you have been named Defendant(s) in a complaint filed by

CHRISTINA L MARCUS
CO SANTEN & HUGHES JRL
600 VINE STREET SUITE 2700
CINCINNATI OH 45202

Plaintiff(s)

in the Hamilton County, COMMON PLEAS CIVIL Division,
PAVAN PARIKH, 1000 MAIN STREET ROOM 315,
CINCINNATI, OH 45202.

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff, if he/she has no attorney of record, a copy of an answer to the complaint within twenty-eight (28) days after service of this summons on you, exclusive of the day of service. Your answer must be filed with the Court within three (3) days after the service of a copy of the answer on the plaintiff's attorney.

Further, pursuant to Local Rule 10 of Hamilton County, you are also required to file a Notification Form to receive notice of all future hearings.

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Name and Address of attorney
J ROBERT LINNEMAN
600 VINE ST STE 2700
CINCINNATI OH 45202

PAVAN PARIKH
Clerk, Court of Common Pleas
Hamilton County, Ohio

By RICK HOFMANN

Deputy

Date: August 23, 2023



D139071617



ELECTRONIC CERTIFIED MAIL SERVICE RETURN
SUMMONS & COMPLAINT
A 2303545 D7
HAMILTON COUNTY BOARD OF COMMISSIONERS
FILED: 08/28/2023 6:50:47

Date Produced: 08/28/2023

HAMILTON COUNTY CLERK OF COURTS:

The following is the delivery information for Certified Mail™ item number 7194 5168 6310 0995 8549. Our records indicate that this item was delivered on 08/25/2023 at 12:22 p.m. in CINCINNATI, OH 45202. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to be "JL" or similar, written over a horizontal line.

Address of Recipient :

Handwritten address in black ink, showing "158 6" followed by a right-pointing arrow.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 18139574SEQ1

ENTERED

SEP 11 2023

D139220910

Jennifer L Branch

9/10/2023

Jennifer L Branch, Judge

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

CHRISTINA L MARCUS,
Plaintiff,

v.

JOHN DOE 1 ET AL,
Defendant.

: Case No. A 2303545
:
: JUDGE JENNIFER L BRANCH
:
:
: INITIAL CASE ORDER
:

Judge Branch's Rules of Court

Please become familiar with Judge Jennifer Branch's Rules of Court on the Court's website. The rules may change and court staff contact information may change over time so check the rules regularly throughout the pendency of the case here:

<https://hamiltoncountycourts.org/index.php/common-pleas-court-judge-jennifer-l-branch/>

Case Management

This matter is automatically set for a Case Management Conference ("CMC"). However, due to the Court's overcrowded docket, the exact date and time for your CMC may change. Any updates will be sent via the assignment commissioner and the Clerk of Court's automated notification system or can be found on the docket.

Before the CMC, counsel and any unrepresented parties are **required** by Civil Rule 26(F) to meet and confer, create a discovery plan, and file a 26(F) Report with the court. The Court **Orders** the parties to conduct the 26(F) conference as soon as practicable and to file the 26(F) Report no later than five business days before the CMC date. Please email a courtesy copy of the 26(F) Report to the Court's Law Clerk, BranchLawClerk@cmc.hamilton-co.org. A sample 26(F)

ENTERED

SEP 11 2023

can be found on the Court's website:
<https://hamiltoncountycourts.org/index.php/common-pleas-court-judge-jennifer-l-branch/>

Save the Videoconferencing Link

The videoconferencing link to be used for the CMS and all conferences is:

<https://us02web.zoom.us/j/7045269737?pwd=VmZ4TndYK2pGVkpJZFZsK21YWWDZadz09>
Meeting ID: 704 526 9737
Passcode: 110981

Save the videoconferencing link since it will be used for all future video conferences during the pendency of the case. The Court will conduct all conferences by video conference, unless all parties agree to appear in person instead. The Court is unable to provide the zoom link before each conference. You must save this information and use it for all videoconferences.

Be sure to provide the Court with your current email address. If you do not have the ability to appear remotely, notify the opposing party/parties/counsel since all parties will then be required to appear in person.

Perfect Service Before CMC

At least one defendant must be served before the Case Management Conference. If no defendant has been served 21 days before the CMC, **Plaintiff must file a motion** to extend the CMC to a date after which service is expected to be accomplished and explain Plaintiff's plans to obtain service. If good cause is shown, the Court will reschedule the CMC to the new requested date. If this Order is not followed, the CMC will be vacated a new CMC date will be set for a CMC Friday Docket at 1:30 p.m. in person in Courtroom 320.

Since the Supreme Court of Ohio expects most civil cases to be completed within two years of filing, if no Defendant is served within six months of filing the Complaint, the Court will issue an Order asking Plaintiff to show cause why the case should not be dismissed. All time expended to complete service counts toward the two-year time period to complete the case. The longer service takes, the shorter the time to conduct discovery and complete pretrial litigation.

ENTERED Default Motions

SEP 11 2023 If Plaintiff, or other party, files a motion for default judgment prior to the Case

D1392209 Management Conference, the CMC date will be vacated and the Court will set a status report on

the progress of the motion for default. The moving party **must hand deliver** to the Magistrate the motion, along with a proposed entry, within seven days of filing the motion. If a hearing is required by Local Rule 13, the moving party must schedule the hearing with the Assignment Commissioner within seven days of filing the motion for default. Please refer to Local Rule 13 for more details about this process.

If the moving party does not follow Local Rule 13, the motion for default judgment may be denied or the case may be dismissed for lack of prosecution.

Final Entries

If the case is settled before trial, the parties are required to inform the Court by emailing the Court's law clerk as soon as the case is settled at branchlawclerk@cms.hamilton-co.org.

The Court will not sign an entry of dismissal that requires the Court to retain jurisdiction, unless the parties have first filed a motion explaining the need for the Court to retain jurisdiction. If a motion is filed, the Court will promptly set a Report to set a hearing date to determine whether an enforceable agreement exists. See *Infinite Security Solutions, L.L.C. v. Karam Properties II, Ltd.*, 143 Ohio St.3d 346, 2015-Ohio-110, ¶ 31.

Parties Without Counsel

Any party who is not represented by Counsel is referred to as "pro se" party. "Pro se" parties are required to file a Notification Form with the Clerk of Courts providing a mailing address, email address, and phone number. Each unrepresented pro se party must keep their contact information updated until the case is closed. The Notification Form can be found here: <https://www.courtclerk.org/forms/notificationform.pdf>

IT IS SO ORDERED.